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U.S. DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
Social and Rehabilitation Service
Youth Development and Delinquency Prevention Administration

TOWARD A POLITICAL DEFINITION OF JUVENILE DELINQUENCY

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FOREWORD

Currently, the American juvenile justice system is going through a period of critical examination, both by its practitioners and by those working in the fields of crime and delinquency. The ultimate aim is to correct any defects in the system and to expand those efforts that most successfully help young boys and girls.

This publication examines the juvenile justice system, especially the relationship between that system and those most affected by its decisions. Its author is Dr. John M. Martin, Professor of Sociology and Chairman, Institute for Social Research, Fordham University. It was originally presented as a paper before the Delinquency Prevention Strategy Conference, sponsored by the California Council on Criminal Justice in February 1970. It is being published by the Youth Development and Delinquency Prevention Administration in order to present to as wide an audience as possible current thinking on an important aspect of delinquency prevention and control. *However, no official support or endorsement by the U.S. Department of Health, Education, and Welfare is intended or should be inferred.*

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FAIRNESS AND JUSTICE, many argue, are not often found in juvenile courts, in the practices of the Nation's training schools, or in other aspects of what may be called the juvenile justice system. The problems connected with this condition are massive. Howard James, writing in *The Christian Science Monitor* last year,[1] called the situation a national scandal. Martin, Fitzpatrick, and Gould recently defined the issue in sharply political terms:

> A central difficulty is that of introducing into law enforcement and the administration of justice a real, not hypothetical, balance of power between individuals who are on the receiving end of justice and the officials who administer it. The crucial task will be that of building a public policy which both recognizes and understands the inherent conflicts of interest between those groups and collectivities in society against which the law is enforced and those in whose name and for whose benefit it is enforced.[2]

The difficulty is essentially political. It cannot be accounted for in terms of the malicious intent of judges, probation officers, training school superintendents, and others employed by the juvenile justice system. If this were so, the remedy would be relatively simple: Properly motivated people could be put in as replacements. The real problem lies in the very way the institutions of the system are organized, in the specification of their goals, and in the manner in which they function. Far more is involved than the lack of money, crowded court calendars, huge case loads, and the lack of trained caseworkers and legally trained judges.

Much more crucial to a fuller understanding of the situation is an appreciation of the narrow ideological and theoretical foundations upon which the juvenile justice apparatus rests. The system is grossly conserva-

tive in that it accepts little or no active responsibility for winning social justice for the children with whom it deals. It remains wedded to the idea that what is wrong in delinquency is limited to that which is presumed to be wrong with the youngster himself or with his family.

But far deeper organizational difficulties also exist which may prove to be far more significant than any of its other characteristics for understanding the unfairness and injustice which taint the system. Essentially the problem boils down to this: When decisions about the lives and careers of powerless people and their children are made by a large and remote bureaucratic system, which by design has made very little provision for establishing a balance of power between the two camps, unfairness and injustice inevitably follow.

Before considering further this central imbalance of power in the operations of the juvenile justice system, it may be helpful to explicate some of the criticisms which have been leveled at the system.

Criticisms of the Juvenile Justice System

At present, few in public life are satisfied with the capacity of the juvenile justice system to fulfill its mandate; many also disagree about what the mandate should be. Few academicians and few informed officials find the system useful or beneficial to the youth involved in it. Today for example, in State after State, an informed consensus is rather vigorously maintaining that juvenile courts, and especially training schools, are a "mess." There is widespread conviction that the juvenile justice system is, in large part, an outright failure. It not only frequently fails to rehabilitate, but it also fails to live up to ordinary standards of human decency. Even agency personnel, as professional agents of the larger society, find the system of juvenile justice highly problematic. Many feel that the agencies in which they work are badly financed, poorly staffed, and lacking a relevant program model. The present model, involving in its idealized form individual case adjustment, wins no constituency in the ghettos from which the usual urban agency draws its clientele; it has no viable political prospects at a time when the political roots of the delinquency question are becoming more apparent to all concerned; it "turns on" few governors or legislators; and it is increasingly avoided by the various professions. Most significantly, perhaps, ghetto residents themselves are unhappy about the system. The propertied among them are left unprotected by it, while the poor among them suffer its various injustices.

Criticism of the juvenile justice system is neither simple nor new. Rather it stems from a set of interrelated intellectual developments which have grown rapidly and become more intricate over the last 30 years.

Historically speaking, the first link in the chain of criticism was that which revolved around commentaries of closed institutions, starting with prisons and mental hospitals, and finally narrowing in focus to those institutions, notably training schools, which house a juvenile population. The most significant literature in this link is that by Clemmer, Sykes, Cloward, Cressey, Goffman, Polsky, and Giallombardo, all of which points to the totalitarian social organizations of such institutions and the pathology-ridden, antitherapeutic nature of their inmate subcultures.[3]

The second link in the chain began to develop shortly after the first and focused on the malfunctioning and injustice of the juvenile court, another of the institutions designed to handle society's delinquents. While the first link attacked the institutions to which delinquents were sent, the second sought to make clear the problems inherent in the court which, in the name of "help," committed gross injustices upon children, their parents, and the social class and ethnic groups from which they came. This link can most easily be traced to Paul W. Tappan's now classic, sociolegal critique of the juvenile court. From there, it can be traced through the writings of Goffman, Matza-Sykes, Wheeler-Cottrell, various contributors to *The Challenge of Crime in a Free Society* and its related Task Force Reports, down to the recent work of Carey and Cicourel and that of Martin-Fitzpatrick-Gould.[4]

These scholars have concentrated on major social injustices of the juvenile court. In essence, the argument is that youths appearing before the court have been deprived by the court of their basic rights. Moreover, certain specific youths have been even more mishandled by the court because of their racial and other group identifications and their lack of established political influence. Thus, some youngsters are picked up, taken into custody, shunted off to the precinct and court hearings for acts which others commit without police and court interference. This is questionable in itself, but becomes all the more disconcerting when the effects of this process on those who are caught up in the net are realized. The court "labels" or stigmatizes its charges with the official status of "delinquent," and sometimes also the medical status of being "mentally disturbed." If it is difficult to live down one "tag," it is all the more difficult to live down two. Some youths may, in fact, begin to *live up to both,* in a self-fulfilling sort of way, by playing the role of "sick delinquent," as imposed on them by the court.

In effect, the juvenile justice labeling process works to single out adolescents from groups culturally alien to those in power. Those singled out, because of their powerlessness, are ill-equipped to stop the process or to intervene in it effectively to prevent themselves from having various and sundry tags imposed upon them by police, judges, probation officers,

psychiatrists, and others who are employed as agents of the juvenile justice system. The child whose deportment is deemed "inappropriate" by the police will often be detained, as will the one who is "insolent," whereas the child who is "polite, cooperative, or obsequious" is less likely to be referred to court.

Often the judgments made by the police are chauvinistic, ethnocentric, and of limited validity. Using standards peculiar to their age-set, ethno-racial group, and social class, they inadvertently work toward the spiraling condemnation of adolescents, the poor, and the nonwhite segments of the society. The people whom the police process and move along to court are aware of the inequities of the system and of the ways in which police practices work to the disadvantage of the powerless.

When the case actually reaches court after police referral, it is heard by a juvenile court judge without a jury. Juvenile judges, who usually enjoy relatively low prestige as compared with most other judges, are often second- and third-generation, white ethnics, whose judicial position, often appointive, reflects patronage—the rewards of a political machine. Their social and cultural characteristics, combined usually with scanty social or behavioral science training, leave them oftentimes identified with the established middle class, and this makes it difficult for them to be objective when it comes to judging the behavior of lower class children.

The juvenile court process usually calls for a probation investigation to be made so that a judge may more properly dispose of a case. The social relationship between the juvenile and his probation officer usually seems to be characterized by the same sort of cultural and power conflicts as those found in juvenile-police and juvenile-judge relationships. However, a new dimension compounds the problem of the powerless at this stage of the juvenile justice system. Probation officers, to the extent that they are at all scientifically oriented, tend to perceive their clients and their behavior from a psychologically oriented casework point of view, instead of from a social-cultural-political framework. This casework orientation is evident in the courses probation officers take in graduate schools of social work, in the professional literature they read, in their in-service training manuals, in the case histories they prepare, and in their work style and role. The result of this orientation, which characterizes trained and untrained probation officers, and many old guard psychiatrists as well, is that they tend strongly to interpret and put down culturally different behavior, particularly when it violates middle class standards, as arising out of the psychological aberrations of the isolated individuals standing before them.

Under such conditions the delinquent finds himself doubly labeled. To authorities he is not only legally deviant, but he also now appears to be psychologically ill, which in point of fact may or may not be true. The powerlessness of youth, the blacks, the poor, and other minorities leaves them totally unable to cope with this double stigma, either immediately in the judicial process, or later in life as it follows them in their chosen

careers or imposed noncareers. The latter often are a consequence of commitment to a training school and later to a reformatory or prison where the clash between the powerless and the agents of the powerful in the legal processes is much more sustained and intensified.

This, then, is the juvenile justice system as it appears through the eyes of many of its critics. Issues of power and of powerlessness are brought to attention in various parts of the criticism. And a strain of social conflict runs throughout the observations made. What seems to be the relationship between the three—i.e., the juvenile justice system, power, and the strains of social conflict?

Juvenile Justice, Power, and Social Conflict

Today the "in" word, as well as the "in" line of analysis, is *POWER*. Academicians, politicians, black and white militants, and the man in the street talk about power as it relates to a variety of groups, especially students and blacks. In other words, discussions of relations between dominant and minority groups, whether ethnic-, race-, age-, or class-based, are now cast in terms of power plays. Unfortunately the very newness in this use of the concept, and the varied backgrounds of those employing it, make precise definition very difficult. Moreover, within the same field or academic discipline there is often disagreement as to its usage. For example, there are those political scientists who speak of power as something attributable to a small, crystallized, stable group, also known as an elite. There are others, however, who speak of power as a phenomenon relevant to the workings of a large, disparate, ever-changing collectivity known as the plurality. Unhappily neither conceptualization is well-founded in empirical research, and neither is very useful at this particular moment in history for an understanding of delinquent behavior.

The first conceptualization of power which became popular in the study of delinquency was that which might be termed a psycho-social definition. In it, power was seen as a somewhat vague ability which, when lacking in certain individuals, induces within them a poor self-image, a deep and lasting self-hatred, an apathy, and a barrage of other psychopathological consequences. The roots of the problem of powerlessness were clearly seen as social and were also seen as peculiar to certain groups, notably Negroes. The consequences of such powerlessness, however, were viewed in highly individualistic ways—that is, in the poor self-images and delinquency of individual Negro youths. This kind of orientation to powerlessness and its relation to delinquency was popular in some social science circles in

the early 1960's. It was best stated in the demonstration project proposal for HARYOU in New York City, and takes its lead from the writings of the psychologist, Kenneth B. Clark.[5]

A second definition of power in the delinquency field emerged at a later date. As it has eventually developed, this view might be termed the structural conceptualization of power. It is based on an analysis of large-scale social conflict as the basis of much delinquent behavior. In this view, power relates to the ability of an interest group to be self-determining, to be closely involved with the larger social system, and to be manipulative of it by means of an institutional nexus which enables the group to protect its own interests and to get what it wants. While in many ways this concept is as poorly defined as the psycho-social, this use of the concept has the advantage of shifting attention from the individual and his malfunctioning psyche to an interest group, its web of affiliations, and its needs. No longer is the focus sharply on *anomic* individuals. Now it is on alienated, insulated, isolated, and politically deprived groups. No longer are the powerless, including many delinquents, seen as psychologically "deprived" because of socially-induced strain, in the classic Mertonian sense. Rather, the powerless are perceived as members of sociopolitically disadvantaged groups who lack commitment to the larger society's values, conformity to its norms, responsibility in its roles, and/or control of its facilities. Advocates of Black Power and Student Power reflect this type of social group and define themselves in ways which explicitly acknowledge the absence of commitment to the established social system that for them has proven meaningless, irrelevant, and often repressive.

While the explicit acknowledgment of power in the professional delinquency literature is a recent, scattered phenomenon, it was recognized in implicit ways some decades ago. Thus, for example, the essential relationship of cultural difference to crime was established in 1938 by Thorsten Sellin in his classic, *Culture Conflict and Crime.*[6] Some of the underlying political ramifications of such differences, which were not developed by Sellin, were outlined most effectively the same year by Frank Tannenbaum in his discussion of the community dimensions of organized crime.[7] However, it is in the extensive publications of the Chicago School that the essential political dimensions of delinquency among the urban poor are most explicitly set forth. The work of Thrasher, Sutherland, and Alinsky, particularly as it related to the slums of Chicago, is replete with material linking traditional gang delinquency to the shutting out of gang members from legitimate political (power) channels and their efforts to find for themselves alternative—if illegitimate—structures that would provide them with access to power. For example, in Frederick M. Thrasher's *The Gang,*[8] and in William F. Whyte's *Street Corner Society,*[9] the chapters dedicated to the interdependence of the boss, the political machine, and the street gang amply document the relationship between slum delinquency, the social structure, and the influence of urban politics.

Thus, power has long been recognized as a useful line of analysis in describing delinquency. Yet, the concept has not often been expressed in the more recent delinquency literature. The reason would seem to lie in the nature of the major theoretical orientation which gained prominence in American thought about crime and delinquency during and after World War II, a period not known for its liberalism, and in the personal backgrounds of the scholars who contributed to such work. Crime and delinquency discussions were primarily oriented toward an *order model* of society during that period and even later. Those advocating a *conflict model* had trouble being heard. This same trend is evidenced in sociology proper by the relative popularity of writings by Merton and Parsons as opposed to those by Simmel, Coser, or Dahrendorf.[10] It has been argued that American sociology's overwhelming preference for the order model stems from the socialization process to which most pre-World War II American sociologists were exposed, a process rooted in smalltown, Midwestern, ministerial views geared to stability, homogeneity, and a conservative, static perspective on society. This world outlook permeated not only the writings of sociologists about deviant behavior, of which delinquency is only one manifestation, but also their work in other areas of inquiry as well.

Order theories of society are mainly concerned with the social forces which allow societies or communities to endure according to a given form. The adherents of this perspective have developed a core theoretical model which attempts to explain the conservation of existing social structures and institutions. The order line of analysis focuses on a single unit, whether it is a group, a community, or a total society, and seeks to explain how that unit remains integrated or lasting.

Conflict theories of society are mainly concerned with the social forces which produce social change through social strain, disruption, and eventual reintegration. The adherents of this perspective have developed a theoretical model which attempts to explain the emergence of structural change within social units, whether small groups or total societies. This line of analysis focuses upon the presence of social conflict as interaction between two or more normative structures and the emergence of change in their relationship as a consequence and outgrowth of their interaction.

According to the order model, disruptive forces in the dominant community's sphere of influence are defined as deviant or dysfunctional, as tensions or strains existing within a single normative order and social system. Behavior that challenges the power of the dominant community to maintain what it has established as its boundaries is defined as antisocial or anomic. Such deviancy is perceived to violate a single normative structure, assumed to be based on universal consensus. The possibility or need for recognizing alternative, competing normative structures is thus avoided.

Without further elaboration it seems obvious that most of the efforts of the professionals of the juvenile justice system to make sense out of delinquency and to do something about it are based on an *order* view of social deviancy. In fact, perhaps the outstanding characteristic of the juvenile justice system is that it is constructed on order model lines, reinforced by the ideology, theory, and treatment ideals of the mental hygiene movement, with scarcely a thought given to the consequences of the political imbalances which may flow from such arrangements.

Once such imbalances have been set up in the juvenile justice system, how might they be removed or at least reduced? An approach to this question may be facilitated by a brief discussion of social institutions, some dimensions of their power aspects, and the relationship of these to delinquency.

Institutional Power and Its Relationship to Delinquency

The key to political power is, of course, the vote. The vote is a minimal requirement in a democratic society for a political voice, persuasion, or influence. One step higher than the vote is the ability to use it in an organized manner, a bloc, to insure that people who reflect a group's interests are elected to district, municipal, State, and eventually Federal positions. This means the ability of a group to so affect the political decisionmaking process, that it can influence the local boss, city hall, the State capitol, and Washington. At quite another level, political power means the ability not simply to see to it that those in office hear the voice of the group, but also for the group to be in a position to put its own members in office. Lest anyone deny the efficacy of this tactic, let him examine the history, patterns, and consequences of the political power exercised by either the Irish or the Italians in the United States, especially as these compare with the lack of influence apparent, for example, in the traditional Negro or Spanish-speaking community. In turning out the vote, significant aspects often overlooked in discussions of political power are its leadership and organizational elements, whether they are a part of one of the major parties or of an independent group which both parties court with patronage, plums, or favorable laws and law enforcement.

Political power relates not only to voting and officeholding. It also relates to the ability of a group to affect official decisionmaking in allied areas, for example, within the police department and the courts. Both, obviously, are of considerable significance in any discussion of delinquency in public policy terms. The power of a group determines its ability to keep its people out of trouble with the law, even in instances where they

have actually violated it. The powerful enjoy a series of formal and informal liaisons or links into the political system, ranging from the ability to put in "the fix," to finding a friend in court, to getting its own members on the bench. Such groups are able to influence political and related structures because of their own numerical and organizational strength, brought to bear directly through political mechanisms and indirectly through a nexus of institutions created by them which afford them contact with the system. This nexus of institutions makes the group a force with which the larger society must reckon, an element in a winning coalition or a favored community with the power to swing an election or a referendum. The nexus implies organization not only in the political arena, but also in all other aspects of social life. It is dependent upon the group's consciousness of kind or identity and its recognition that, acting as an entity, it can affect the world around it. This identity is necessary, but not sufficient, for later successful political organization.

Aside from the straight political power of the vote, especially when used on a bloc basis by well-organized interest groups, other areas of institutional power which are particularly significant for delinquency are those of education, economics, and welfare. When an interest group's capacities to influence are high in any one of these three areas, these capacities tend to be high in all of the areas. When a group's general capacities to influence are high, the official delinquency rates of its children and youth tend to be low. Other institutions, of course, could easily be added to the list—for example, organized religion and the mass media.

Such capacities to influence across a broad spectrum of a community's social institutions seem to approximate closely what has been called a community's competence to take care of itself, to look after the needs of its adults, as well as those of its children and youth. Communities so characterized seldom have large numbers of children and youth in trouble with the police, courts, and other parts of the juvenile justice system. Of course, some of their young people may be "wild" or "out of hand," but comparatively few of them become cases in the juvenile justice system. Given the characteristics of that system and the many negative consequences of being under its care, who would argue that cases should not be diverted out of the system wherever possible. In fact, diversion of cases out of the official system is rapidly emerging as a national priority. And that is precisely what competent communities have long been doing. They have been diverting their troublemaking youths out of care by official agencies and into alternative channels. Plainly, they reduce official delinquency by the simple method of meeting the problem by unofficial means. Employment of this method is made possible, however, by the highly developed "institutionalized power" characteristic of such competent communities. This power may be defined as collective, as distinct from personal or individual power. It is also sustained, organized, recognized, and utilized power, which is wielded by an interest group—in this instance,

a local community committed to the care and protection of its children and youth. It seems fair to conclude that in such communities there is little imbalance between the power of the juvenile justice system and that of local parents and their children. Or to put the matter somewhat differently: in such communities the police, courts, and other law enforcement agencies on the local level are very conscious of, and responsive to, the opinions and wishes of local citizens regarding how the law is enforced, especially with respect to local juveniles.

It should be made clear that competent communities do not usually organize themselves in the first instance in order to offset any imbalance of power their citizens may experience with respect to the local juvenile justice system. Sometimes, for example, a well-organized suburban community may follow a particular course of action for this purpose, such as developing its own local police department, instead of continuing to contract for police service with a more politically remote, and socially less responsive, sheriff's department. In such cases, the local department may be developed not because patrol by the sheriff's men was inefficient, but rather because, according to local opinion, the patrol was too efficient and too many local youths were being brought to court, instead of being dealt with by more informal means.

What actually seems to happen with regard to local community competence and its relationship to the practices of the local juvenile justice system is that local competence seems to have emerged on a broad front across many or all of the communities' institutions. Such competence did not begin, nor certainly did it end with the juvenile justice system. Rather, starting with a firm base in some other institution, such as an organized church, as was the case with many European immigrants, or with a firm middle class occupational base, as in the case of many contemporary suburban communities, a community's capacities to build, mold, influence, and use the totality of local institutions followed suit. In the process, the agencies of the juvenile justice system got involved, along with the local schools, elected officials, banks, labor unions, and real estate interests.

But the interesting empirical fact seems to be that when a community lacks such competence with respect to its other institutions, it also lacks it with respect to the local juvenile justice system. The clearest present instance of this seems to be found in the case of metropolitan ghettos. Here locally controlled institutionalized power seems to be in especially short supply. As a reflection of this, here also the imbalance of power between various, large-scale institutions such as the schools, welfare, and the juvenile justice system, on the one hand, and local citizens, on the other, seems to be most acute.

These, then, seem to be some of the relationships between institutional power and delinquency as it is dealt with by local agencies of the juvenile justice system. The key to reducing any imbalance of power between a

juvenile justice system and the individuals with which it deals seems to lie in increasing the institutionalized power of those who are dealt with by the system—in a phrase, to establish between the two camps a better system of "checks and balances." The remaining sections of this paper will explore some of the premises upon which such a public policy might be based, and some of the methods by which it might be implemented.

Toward a Better System of "Checks and Balances"

The problem to be addressed is how to reduce the imbalance of power between the juvenile justice system and those with whom it deals. Two important facts about the clientele of this system need to be made explicit. First, in most communities, official delinquency tends to be impacted in limited geographic sections. It is not uniformly distributed across the geographic face of the community. Such ecological concentration seems to reflect simply the geographic distribution of minority groups, the white poor, and other powerless groups whose children make up most of those handled by the juvenile justice system.

Second, most of the official delinquency and youth crime cases dealt with by the police, courts, and corrections involve relatively minor law violations, essentially unthreatening to the common interests.

These facts make the development of locally based agencies whose function would be to divert cases out of the juvenile justice system both logical and practical devices. Perhaps the best known mechanism being offered at present along these lines is what are now called Youth Services Bureaus. As recommended by the President's Commission on Law Enforcement and Administration of Justice, these would be local, community-based, youth serving agencies situated *outside* of the juvenile justice system. The police, juvenile courts, parents, schools, and others would refer adolescents, delinquent *and* nondelinquent, who are in need of special attention to such bureaus. Properly staffed and managed, such bureaus could be used to divert cases out of the juvenile justice system, thus avoiding many of the negative consequences which face individuals who in fact remain under the care of the system.

The Commission raised the idea of such bureaus and cited their diversionary functions explicitly, but unfortunately left most of the difficult questions about such bureaus unanswered.

Key among these questions is a clarification of the concept of "local, community-based" bureaus. Are they to be decentralized offices of State, county, or municipal agencies, physically located in high delinquency areas

similar to the way in which police precincts or fire houses are now decentralized? Are they to be publicly run, decentralized agencies operated under policies set by local indigenous boards? Are they to be entirely privately operated agencies? Whether publicly or privately operated, what groups or organizations are to operate them in the different jurisdictions? In the President's Commission recommendation, the only thing that is clear is that such bureaus are *not* to be run by the juvenile justice system itself, thus permitting diversion of cases to take place.

A strong case can be made for situating Youth Services Bureaus in the private sector, instead of any place in the public sector. In the private sector they would be operated to the maximum extent possible by the representatives of the groups whose children are being cared for by the juvenile justice system. Such an arrangement would serve to meet the goal that cases should be diverted out of the system wherever possible. It could also begin to address the imbalance of power between the juvenile justice system and those who receive its care. Supported by tax dollars and administered by private organizations responsive to the needs of indigenous populations, such bureaus could accomplish goals which would not even be approached by bureaus run by some division of government. Martin, Fitzpatrick, and Gould put the matter in these terms:

> . . . Such service delivery systems could themselves become increasingly important bases of institutionalized power for presently disadvantaged groups, which could use these service structures and the taxes which would support them to help create their own welfare enterprises. Following an argument advanced by Frances Piven and Richard Cloward, private agencies of this order would be as much political as social welfare institutions, inasmuch as they would serve as organizational vehicles for the expression of the group's viewpoints on social welfare policy and also as the means for other forms of political association and influence. Once developed, the strength of these new welfare organizations, working in combination with similar local and communitywide enterprises in education, health, religion, and other fields, could be used by the disadvantaged to improve their own general bargaining position vis-a-vis other, more established, interest groups. It is the enhancement of this bargaining position and the consequent enrichment and empathic modification of institutions and practices that offer the key to social change in the ghetto. The accomplishment of this kind of change is the goal of those who would take a structural approach to delinquency and related social problems. This general course of action has been followed in the past, and remains the case today, in New York, for example, with the Catholics, Jews, and also, of course, with the white Protestants. The political advantages to be gained by today's disadvantaged groups through the development of their own, privately controlled, tax-supported welfare delivery systems cannot be matched by launching new pro-

grams and continuing old programs for the disadvantaged through long-established agencies, either public or private, particularly where the recipients of service exercise little or no voice in policy. Put bluntly, the issue is one of control and influence: Who is going to run what for whom? And consequently, who is going to profit politically, psychologically, economically, and in many other ways from the enterprise? [11]

Another question arises with respect to the size and scope of Youth Services Bureaus' activities in program terms. Should they act simply as referral agencies, standing between the juvenile justice system and a variety of other public and private service agencies in the broader community? Or should they be large-scale super agencies which offer almost all imaginable forms of educational, vocational, psychiatric, medical, recreational, and welfare services to their clients. It is doubtful that such comprehensive programs can or should be launched in the name of Youth Services Bureaus. The strain of securing the multiple funding base necessary for undertaking such services alone is sufficient to deter such effort. Yet more than a simple and traditional "paper" referral function seems necessary. The clientele to be dealt with does not respond favorably to such exercises. At a minimum, some sort of sustained, supportive type of referral program seems most desirable. And in all likelihood, some minimal type of educational and/or vocational program would seem necessary for any bureau that intends to engage effectively cases diverted out of the juvenile justice system. Probably each bureau would have to develop its own answer to the issue of the boundaries of its program, but a restricted program sharply focused on the needs of cases diverted out of the juvenile justice system, or likely to be taken up by it, seems most acceptable. A small, precisely directed program may, as it gains in competence, gradually expand to embrace other activities.

A third question relates to the coordinating role of local Youth Services Bureaus. Should they simply strive to coordinate the various activities of other large-scale public and private agencies which relate to local youth populations? Thus, in a given neighborhood with high delinquency rates, should such bureaus, with modest staffs of three or four and with modest budgets of $25,000 to $50,000, seek to coordinate the activities of the police, education, welfare, courts, corrections, and other multimillion dollar enterprises in such areas? Considerable experience with such efforts has not proved satisfactory. The weak cannot direct the strong in this field or in others. Some coordination may occur as budget lines become available to a local bureau and as those lines can be used to purchase services and to secure other commitments from larger agencies serving a local area. But without the money to make the bargain stick, coordination of the large by the small has not worked well. Even with funds available, large agencies are not necessarily responsive, since they usually have much to do on their own.

Perhaps the most compelling argument against a Youth Services Bureau trying to play simply a modest coordinating role in a high delinquency area is that such a function contributes very little to the development of the bureau as a local welfare agency which can serve as an important organizational base for the nurturing of local power. If the large service budgets and staff are to remain under the control of outside and essentially unresponsive agencies, the agreement by a local indigenous group to engage only in coordinating activities is not much of a step toward greater local power and autonomy. The psychic rewards may be great for the coordinating staff as it learns to role play with the managers of the large power systems servicing the area, but little concrete bargaining strength has been delivered to the local community in the process.

Any number of other questions remain to be explored about the way in which the Youth Services Bureaus might best serve to reduce the imbalance of power between the juvenile justice system and those who receive its care. For example, what provision should such bureaus make for the development of legal service components as part of their on-going programs? Should such legal services focus upon all areas of decisionmaking in the system, including those decisions made by the juvenile correctional apparatus after cases which have not been successfully diverted have been committed to institutions or placed on probation? Obviously it is difficult to answer such questions except in the most general terms. Nevertheless, if the design of Youth Services Bureaus is aimed at establishing a better system of checks and balances in juvenile justice, then good legal representation for youths at all points of official decisionmaking seems essential.

The idea that such bureaus are necessary devices for reducing the present imbalance of power characteristic of the juvenile justice system would have to achieve widespread acceptance. In various States where Youth Services Bureaus are being started, it does not appear that many of them are following a design and a strategy similar to the one outlined here. In fact, the whole idea that there is a lack of fairness and justice in the juvenile justice system, and that this arises from a political imbalance inherent in the system, seems to have received very little discussion at the level of state planning.

This state of affairs most sharply points up the needs of local indigenous groups which might be in the market to run their own Youth Services Bureaus. Perhaps their primary need is for the articulation of this issue by spokesmen from the professions, the universities, the foundations, and government itself, who are sensitive to the political dimensions of what is involved in delinquency prevention. In the simplest of terms, even the allocation of sufficient funds for the development of large numbers of Youth Services Bureaus of the type being discussed represents a political decision of considerable magnitude in any given State. Delinquency prevention as an area for grant funding is poorly defined and conceptualized as an area of program activity. This has traditionally been the case in

the delinquency field as the more concrete and visible activities of the police, courts, and corrections have dominated program ideas and budget categories. And this seems to be the way it is going today with the new State planning efforts. Prevention is badly in need of a competitive product which it can "sell" as effectively, for example, as the police are able to sell their constituencies on their programs.

Once funds do become available in the states for Youth Services Bureaus, of the type being discussed here, then particular local groups seeking such funds would probably have to enter into some sort of coalition with organizations such as universities or foundations in order to compete successfully for the money.

But viable coalitions are not composed of strong partners allied with weak partners, in this case strong outside parties allied with relatively weak indigenous local groups. Viable coalitions, according to Carmichael and Hamilton, require four preconditions:

> (a) the recognition by the parties involved of their respective self-interests; (b) the mutual belief that each party stands to benefit in terms of that self-interest from joining with the other or others; (c) the acceptance of the fact that each party has its own independent base of power and does not depend for ultimate decisionmaking on a force outside itself; and (d) the realization that the coalition deals with specific and identifiable—as opposed to general and vague—goals.[12]

Of the four preconditions, the third—each party having its own independent power base—perhaps offers the greatest difficulty in terms of the present discussion. The other preconditions can perhaps be realized if the third is assured. Without each party's having its own power base, the whole notion of a coalition becomes absurd.

In summation, Youth Services Bureaus mounted in the private sector by viable coalitions of local indigenous groups and outside allies seem to have considerable potential for reducing some of the imbalance characteristic of the juvenile justice system. Whether such bureaus do in fact come into existence will depend upon the *political support* such an approach to delinquency prevention receives in the various states and in the nation at large.

FOOTNOTES

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